

REMARKS/ARGUMENTS

Claims 1-2, 4-12, 14-23 and 25-27 remain in the application for further prosecution.

Claims 1, 4, 8, 12, 14 and 25-27 have been amended.

Claim Rejection - 35 U.S.C. § 112

Claims 4, 14 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claims 4, 14 and 25 to indicate that the first progressive jackpot is part of a bonus game. Applicant respectfully submits that amended claims 4, 14 and 25 overcome the indefiniteness objection.

Claim Rejections – 35 U.S.C. § 103

Claims 1-2, 5-8, 11-12, 15-23, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,564,700 (“Celona”) in view of U.S. Patent No. 5,538,252 (“Green”).

Claims 4, 9-10, 14 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,564,700 (“Celona”) in view of U.S. Patent No. 5,538,252 (“Green”) in yet further view of U.S. Patent No. 6,800,026 (“Cannon”).

Personal Interview and Interview Summary

The Applicant notes with appreciation the interview conducted with Examiner Mosser on January 31, 2008. Applicant discussed the claim with the Examiner and the Celona and Green references.

The Applicant agrees with the Interview Summary Sheet provided at the end of the interview in which the Examiner indicated that he would consider the arguments and amendments included in this response.

Amendments

Applicant has amended the independent claims (claims 1, 8, 12 and 26) to further define the multiple progressives that a player is eligible based on making a side wager. Specifically, the claims have been amended to require that each wager contributes a first percentage of at least one of the wagers to the first progressive jackpot, wherein the first progressive jackpot has a value of at least a first reserve amount and contributes a second percentage of at least one of the wagers to the second progressive jackpot, wherein the second progressive jackpot has a value of at least a second reserve amount, the second reserve amount being higher than the first reserve amount and the second percentage being higher than the first percentage. The different levels of contributions and different starting reserve amounts leads to multiple levels of different sized jackpots such as the Min, Max and Mega jackpots discussed in the specification. The larger second jackpot resulting from a greater contribution from a wager a larger reserve amount provides a relationship between the progressive jackpots that allows multiple different jackpots to add excitement to the wagering game.

The present claims distinguish over the cited Green and Celona references. Green is a table blackjack game allowing the player to make a press bet for an additional jackpot. Green does not disclose making different levels of contributions from the player wagers to different jackpots. Further Green does not disclose having a larger percentage for one jackpot and a larger minimum amount for one jackpot as is now required by the amended claims.

Celona relates to a system having linked jackpots to allowing sharing for a progressive jackpot. Celona does not disclose multiple progressive jackpots. Celona also does not disclose having different levels of wager contributions to the different jackpots and only allows eligibility for the progressive jackpot with a maximum wager rather than a side wager as required by the claims.

The combination of Green and Celona does not anticipate the elements of the amended claims as the combination would not disclose contributing a first percentage of at least one of the wagers to the first progressive jackpot and a second greater percentage to a second progressive jackpot. The combination also does not disclose the first progressive jackpot having a value of at least a first reserve amount and the second progressive jackpot having a value of at least a second reserve amount, the second reserve amount being higher than the first reserve amount.

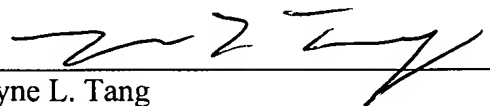
Conclusion

It is Applicant's belief that all of the claims are now in condition for allowance and actions towards that effect is respectfully requested.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the number indicated. It is believed that no fees are presently due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Nixon Peabody Deposit Account No. 50-4181, Order No. 247079-000225USPT.

Respectfully submitted,

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Wayne L. Tang
Reg. No. 36,028
NIXON PEABODY LLP
161 North Clark Street, Ste. 4800
Chicago, Illinois 60601
(312) 425-3900 (Telephone)
(312) 425-3909 (Facsimile)

Attorney for Applicants